

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

OCTOBER 23, 2023

PUBLIC OFFICIALS PRESENT

*Council President April R. Jackson
Council Vice-President Angela M. Blake
Councilmember Megan Outten*

*Mayor John R. “Jack” Heath
Councilmember Michele Gregory
Councilman D’Shawn M. Doughty*

IN ATTENDANCE

*City Administrator Andy Kitzrow, City Attorney Ashley Bosche, City Clerk Kimberly Nichols,
and members of the public*

PLEDGE OF ALLEGIANCE / MOMENT OF SILENT MEDITATION

*The City Council met in Legislative Session at 6:00 p.m. in Council Chambers of the Salisbury
Headquarters Building and via Zoom on October 23, 2023. Council President April Jackson
called the meeting to order. After the recital of the pledge to the flag, President Jackson invited
everyone to participate in a moment of silent meditation.*

ADOPTION OF LEGISLATIVE AGENDA

*Ms. Gregory moved and Ms. Outten seconded to adopt the legislative agenda. Ms. Blake
motioned and Mr. Doughty seconded to amend the agenda by inserting the following resolution,
immediately following Resolution No. 3289: Resolution No. 3290- to authorize the Mayor to
enter into, on behalf of the City of Salisbury, and amended and restated Land Disposition
Agreement with Davis Strategic Development, LLC setting forth the terms and conditions
governing the sale and redevelopment of Lots 3 and 16. Ms. Blake added that it was on last
week’s Work Session agenda and Council reached 100% consensus to move it forward. The
amendment was approved on a 4-1 vote with President Jackson voting “nay.”*

*President Jackson stated she held it off until the next meeting. She asked if Ms. Blake discussed
this with anyone, and Ms. Blake answered in the affirmative, stating when she realized it was not
on the agenda she spoke with the other Council members. Ms. Gregory said it was not discussed
with her and wondered when the discussion happened. Ms. Jackson thought it was best to wait
until after the election and the new people came into office before bringing this resolution up for
approval.*

*Ms. Jackson and Ms. Blake discussed the motion and whether or not it was a transparent action.
Ms. Gregory said they did not have time to thoroughly read the resolution. It was always at the
discretion of the president whether or not something needed to be added to the agenda. Ms.
Blake said it should have been thoroughly understood on the 16th and there was consensus to
from Council to move the LDA forward.*

The amended agenda was approved on a 3-2 vote and would be placed immediately following

Resolution No. 3289. "Aye" votes were from Ms. Blake, Ms. Outten and Mr. Doughty.

CONSENT AGENDA- presented by City Clerk Kimberly Nichols

The Consent Agenda, consisting of the following items, was unanimously approved on a motion and second by Ms. Outten and Ms. Blake, respectively.

- September 11, 2023 Council Meeting Minutes
- Resolution No. 3287- approving the appointment of Jessica Cook to the Disability Advisory Committee for the term ending October 2026

President Jackson thanked Ms. Jessica Cook for serving on the committee.

AWARD OF BIDS- presented by Procurement Director Jennifer Miller

Ms. Blake moved, Ms. Outten seconded and the following Award of Bids was unanimously approved.

- ITB A-24-103 Various Water Treatment Chemicals \$1,759,952.00 (1st yr. estimate)
- ITB 24-110 Wireless Voice, Data and Accessories \$ 97,500.00 (1st yr. estimate)

RESOLUTIONS- presented by City Administrator Andy Kitzrow

- **Resolution No. 3288**- authorizing the Mayor to sign a memorandum of agreement with Cal Ripken Sr. Foundation for a stem lab donation to the Newton Street Community Center

Ms. Gregory moved, Ms. Blake seconded, and the vote was unanimous to approve Resolution No. 3288.

- **Resolution No. 3289**- to approve and adopt Water and Sewer Extension Policy

Ms. Gregory moved, Ms. Blake seconded, and the vote was unanimous to approve Resolution No. 3289.

- **Resolution No. 3290**- to authorize the mayor to enter into, on behalf of the City of Salisbury, an amended and restated Land Disposition Agreement with Davis Strategic Development, LLC, setting forth the terms and conditions governing the sale and redevelopment of Lot 3 and Lot 16

Ms. Blake moved and Mr. Doughty seconded to approve Resolution No. 3290.

Ms. Gregory did not think it was proper to have on the agenda because she was not comfortable not having the material in front of her. This was poor form that this was sprung on them and was not in the packet. She supported this project but it had not been given proper prior notification to the Public that it was going to be on the agenda this evening. She asked the rest of Council to not vote for this tonight.

Mr. Doughty said he was glad it was back on the agenda because it was a lesson to them all that as things were added, it was important to have communication between Council. Given that, he

motioned to table Resolution No. 3290 until the next legislative meeting. Ms. Gregory seconded, and the vote was 3-2. President Jackson, Ms. Gregory and Mr. Doughty voted “aye.”

ORDINANCES- *presented by City Attorney Ashley Bosche*

- **Ordinance No. 2833-** *2nd reading- authorizing the Mayor to appropriate funds for the Newton Community Center Project*

Ms. Outten moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2833 for second reading.

- **Ordinance No. 2834-** *2nd reading- to authorize the Mayor to appropriate funds for the Lot 5 Compliance project*

Ms. Gregory moved, Mr. Doughty seconded, and the vote was unanimous to approve Ordinance No. 2834 for second reading.

- **Ordinance No. 2835-** *1st reading- authorizing the Mayor to appropriate funds for land acquisition for North Prong Park project*

Ms. Gregory motioned, Ms. Outten seconded and the vote was unanimous to approve Ordinance No. 2835 for first reading.

- **Ordinance No. 2836-** *1st reading- to set fees for FY 2024 and thereafter unless and until subsequently revised or changed*

Ms. Gregory moved, Mr. Doughty seconded, and the vote was unanimous to approve Ordinance No. 2836 for first reading.

- **Ordinance No. 2837-** *1st reading- authorizing the Mayor to enter into a memorandum of understanding with the Wicomico County Health Department and approving a budget amendment of the FY2024 General Fund Budget to appropriate funds received from the Wicomico County Health Department in the amount of \$10,000.00*

Ms. Gregory moved, Ms. Outten seconded, and the vote was unanimous to approve Ordinance No. 2837 for first reading.

PUBLIC COMMENTS

The following comments were received from eight members of the public:

- *Council would not release closed session minutes from June 20th although the Public has a right to them. At October 9, 2023 Council awarded sole source contract to Gillis-Gilkerson for \$10,750,000 with no questions. Illegal behavior was spilling over to the Elections Board.*
- *Let's take care of what we have before we start new projects.*
- *Speaker announced he was a write-in candidate for District 3.*
- *Speaker's comments are included as part of these minutes.*

- *Speaker announced he was a candidate for District 2 against D'Shawn Doughty.*
- *Speaker said he gave April Jackson and Michele Gregory credit for speaking out against the LDA. Document was normally prepared ahead but the public has seen nothing. What was the City's cost (it was not in the packet). Waiting on Exhibit E.*
- *Need to clean house this coming election. Legislation was a last-minute rush before the election. The new developer will pay peanuts in taxes.*
- *Speaker was one of the owners of Davis Strategic Development and said they already owned both of the properties. They did twelve other projects in Downtown Salisbury and completed twenty-five in the City. The plan for the parking lots has been in the public domain with the goal to deliver some luxury apartments with first floor parking and some small retail.*

ADMINISTRATION AND COUNCIL COMMENTS

Mayor Heath asked the public to consider donating blood. Asked to keep those on both sides of the Israel conflict in our prayers.

Mr. Doughty said there were lots of events coming up. Being a lifelong resident of Salisbury, many people knew his integrity, and he had not applied for a position that former President Boda had. Those with questions about his ethics needed to reach out to him. Many of the schools had Trunk or Treat. Please participate because the children loved it. Salisbury Jaycees were holding Treat Street this Sunday. This free event drew thousands of children each year.

Ms. Gregory said Treat Street was a very fun event and safe way for the kids to Trick or Treat. Her objection tonight was about changing the agenda with no prior notice. She did support the LDA. She informed about an event hosted downtown by Blackwater Apothecary.

Ms. Blake wished everyone a good week.

Ms. Outten thanked Jessica Cook for stepping up to serve on the Disability Advisory Committee. There were lots of other committees to serve on. She was excited about Treat Street. This was Trick or Treat week so be cautious of children.

President Jackson was thankful for the Trunk or Treat events because it made it much safer for the children. She invited everyone to the VFW Post 10159 from 6:00 p.m. to 8:00 p.m.

ADJOURNMENT

With no further business to discuss, Council President adjourned the meeting at 7:23 p.m.

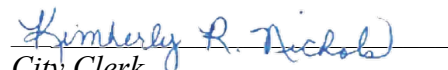
CITY OF SALISBURY, MARYLAND
CLOSED SESSION
OCTOBER 9, 2023

TIME & PLACE: 7:25 p.m., Council Chambers, Salisbury Headquarters Building
PURPOSE: To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom the public body has jurisdiction or any other personnel matter that affects one or more specific individuals;
VOTE TO CLOSE: Unanimous (5-0)
CITATION: Annotated Code of Maryland §3-305(b)(1)
PRESENT: Council President April R. Jackson, Acting Mayor John R. Heath, Vice-President Angela M. Blake, Councilmember Michele Gregory, Councilmember Megan Outten, Councilmember D'Shawn Doughty, City Administrator Andy Kitzrow, City Attorney Ashley Bosché, City Clerk Kim Nichols, Fire Chief John Tull

The City Council convened in Legislative Session at 6:00 p.m. in Council Chambers of the Salisbury Headquarters Building and via Zoom Video Conferencing on October 9, 2023. At 7:25 p.m. upon the adjournment of the Legislative Session, Council President Jackson called for a motion to convene in Closed Session to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter affecting one or more specific individuals as permitted under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b)(1). Council would interview the candidate for Deputy City Administrator as recommended by Administration.

Mr. Doughty moved, Ms. Outten seconded, and the vote was unanimous to convene in Closed Session. Ms. Gregory took a two-minute break and the Closed Session convened at 7:27 p.m. Mr. Kitzrow explained the search and interview process conducted by Administration for filling the Deputy City Administrator position. The candidate was invited into the meeting at 7:35 p.m. and answered questions from Council. He was asked to exit the Closed Session at 7:50 p.m.

At 7:52 p.m. Council invited the candidate back into the Closed Session and informed him that Council supported the Mayor's recommendation. After he was congratulated, Ms. Gregory moved, Ms. Blake seconded, and the vote was unanimous to adjourn the Closed Session. At 7:54 p.m. Council reconvened in Open Session and President Jackson reported that City Council had met in Closed Session in accordance with the Annotated Code of Maryland §3-305(b)(1) to discuss the appointment, employment, assignment, promotion discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals. Council interviewed the candidate for Deputy City Administrator during the Closed Session.


City Clerk


City Council President

10/23/2023 Salisbury City Council Meeting
Comments by Nancy Roisum

Per the US Census, Salisbury is the MD city with the highest percent population at or below the poverty level - Close to 25%. Of course, they aren't making enough to pay taxes.

Add to that about ¼ of the property inside the City was removed from the City Corporate limits, decades ago. Just look at the map on page 45 of this meeting's agenda package. What a nice favor these privileged folks inside the City opted into and continue to exploit by not paying any City taxes.

SO one half of the City is not eligible to pay City property and income taxes. But the rest of us are paying excessive City property and income taxes, thereby supporting the 50% who are not.

Salisbury's city boundaries are one of the most gerrymandered in the nation. Fixing this is an effort that should be started right now. Mayor and City Council, I call on you to propose a resolution, at your next meeting, to change this inequity.

Thanks to recent years' over spending and the recently approved budget, we now have THE highest real property tax rate in a state that already had one of the highest rates in the nation.

So, City Leaders' solution to all this is to build 6,000 more homes, to bring in more tax payers. Well, duhh--Taxes are one of the main factors that prospective newcomers consider. Anyone who moves here will probably leave fast, once they see their tax bill.

Who of our current leaders and candidates are talking about how to add new jobs here? Without thousands of new jobs, the thousands of new homes in the pipeline are pointless.

FYI, the City's own analysis of the HERE IS HOME program tells that it gives about \$43 million to developers by removing their hookup fees. \$43million can run the City for a year! Unless City Leaders commit to avoiding more of these giveaways to developers, the drain on our revenue base will continue.

You must start examining the true, whole life-cycle cost of using grants to build new questionable infrastructure. Maintenance budgets are woefully ignored when looking at these "bright penny" projects. Local government employees and taxpayers are the people who will pay the cost. Not to mention, the very folks we

hope to raise up, the underprivileged sector, who end up with poorly maintained public facilities that they must rely on.

CITY LEADER, BE A TEAM PLAYER - HOLD THE LINE. START THE BALL ROLLING NOW to STOP overburdening the working people and city government employees with VISIONs that are BUMPING INTO REALITY

IT'S YOUR LEGACY